

AMENDED IN ASSEMBLY MARCH 15, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1737**

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**Introduced by Assembly Member ~~Eng~~ Members *Eng and Lieu***

February 4, 2010

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An act to amend Section 8310.5 of, and to add Section 8310.7 to, the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 1737, as amended, Eng. State agencies: collection of demographic data.

Existing law requires any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian.

This bill would require specified state agencies to use additional separate collection categories and tabulations for other major Asian groups and Native Hawaiians and other Pacific Islander groups, including Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Thai, and Tongan. This bill would also require that these specified state agencies update their data collection categories to match those used by the United States Census Bureau. This bill would further require a state agency, board, or commission that directly or by contract collects demographic data, include data on specified collection categories and tabulations in any demographic report on ancestry or ethnic origins of Californians that it publishes or releases on or after July 1, 2011. This bill would further require a state agency, board, or

commission to make the collected data available to the public, in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) More than one-third of the nation's Asians and Pacific
- 4 Islanders live in California, making the state home to more Asians
- 5 and Pacific Islanders than any other state in the nation.
- 6 (b) Asians and Pacific Islanders represent 14 percent of the
- 7 state's population, and grew by 52 percent from 1990 to 2000.
- 8 (c) Asians and Pacific Islanders are an incredibly diverse group.
- 9 Due to this diversity, the federal Office of Management and
- 10 Budget's Statistical Policy Directive No. 15, entitled Race and
- 11 Ethnic Standards for Federal Statistics and Administrative
- 12 Reporting, separated the "Asian and Pacific Islander" category
- 13 into two distinct and separate categories, now called "Asians" and
- 14 "Native Hawaiians or Other Pacific Islanders," and these two
- 15 distinct categories were used in the 2000 United States Census.
- 16 The United States Census Bureau currently reports data for more
- 17 than 20 different ethnicities within these two categories.
- 18 (d) While Asians and Pacific Islanders are often misrepresented
- 19 as a homogeneous group, they actually represent dozens of different
- 20 cultures, languages, and ethnic groups and have a wide range of
- 21 economic, educational, and social needs.
- 22 (e) Existing state law requires state demographic data to be
- 23 divided into some Asian and some Native Hawaiian and Pacific
- 24 Islander ethnic groups. However, additional groups reported by
- 25 the United States Census Bureau are not included in state
- 26 demographic data.
- 27 (f) Given the diversity of languages and cultures, separating
- 28 data for additional Asian and additional Native Hawaiian and
- 29 Pacific Islander ethnic groups is critical for enhancing our state's
- 30 understanding of the needs and experiences of these different
- 31 communities.

SEC. 2. Section 8310.5 of the Government Code is amended to read:

8310.5. (a) Any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians shall use separate collection categories and tabulations for each major Asian group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, and Cambodian, and each major Native Hawaiian and Pacific Islander group, including, but not limited to, Native Hawaiian, Guamanian (also known as Chamorro), and Samoan.

(b) The data collected pursuant to the different collection categories and tabulations described in subdivision (a) shall be included in any demographic report on ancestry or ethnic origins of Californians by a state agency, board, or commission published or released on or after July 1, 2011. The data shall be made available to the public in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.

SEC. 3. Section 8310.7 is added to the Government Code, to read:

8310.7. (a) In addition to the duties imposed under Section 8310.5, the following state agencies, in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of Californians, shall collect and tabulate data for additional major Asian groups, including, but not limited to, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai, and additional major Native Hawaiian and Pacific Islander groups, including, but not limited to, Fijian and Tongan:

(1) The State Department of Health Care Services.

(2) The State Department of Public Health.

(3) The State Department of Social Services.

(4) The Employment Development Department.

(5) The Department of Industrial Relations.

(6) The State Personnel Board.

(7) The Department of Fair Employment and Housing.

(8) *The State Department of Education.*

(b) During the normal process of reporting demographic data, the state agencies *identified in subdivision (a)* shall report the collected data according to each Asian group and each Native

1 Hawaiian and Pacific Islander group specified in subdivision (a)  
2 and make that data available to the public in accordance with state  
3 and federal law, except for personal identifying information, which  
4 shall be deemed confidential.

5 (c) The state agencies set forth in subdivision (a) shall comply  
6 as early as possible, but no later than July 1, 2011.

7 (d) Notwithstanding subdivision (c), the state agencies pursuant  
8 to subdivision (a) shall, within 18 months after the United States  
9 Census is released to the public, update their data collection to  
10 reflect the additional Asian groups and additional Native Hawaiian  
11 and Pacific Islander groups as they are reported by the United  
12 States Census Bureau.